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Pro Hac Vice Attorney of Defendant Todd C. Engel

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA (LAS VEGAS)**

**USA**

Plaintiff,

vs.

**Todd C. Engel**

Defendant

No. 2:16-CR-00046-GMN-PAL-15

**REQUEST TO ALLOW  
DEFENDANT TO PARTICIPATE IN  
RESTITUTION HEARING VIA  
VIDEO LINK**

**CERTIFICATION: This request is timely made and Defense Counsel  
has conferred with AUSA prior to making this request.**

COMES NOW, defendant, Todd C. Engel (Engel), by his attorney, Warren  
R. Markowitz, Esq, and moves this Court to allow Engel to appear for the  
upcoming Restitution Hearing via video link from USP Lompoc.

1 On July 19, 2018 this court imposed sentence on two counts relating to  
2 Engel's involvement in the Bundy Standoff of April 2014.  
3

4 During sentencing hearing Defense Counsel raised a challenge to the  
5 restitution amounts being requested by the Federal Government, and after oral  
6 argument disposition of the Restitution was placed on calendar for September 5<sup>th</sup>  
7 2018, ECF# 3297.  
8

9 During the last week of August 2018 the Bureau of Prisons relocated Engel  
10 from the NSDC in Parhump Nevada to USP Lompoc. This court issued a minute  
11 order rescheduling the hearing for September 20, 2018, ECF#3326.  
12

13 On September 6, 2018, Defense Counsel inquired with Ms. Carlon, the unit  
14 manager housing Engel if video conferencing is available for use (Exhibit 1), and  
15 on the 7<sup>th</sup> Ms. Carlon responded with a voicemail indicating that the service is  
16 available for use.  
17

18 On September 10<sup>th</sup> 2018, Defense Counsel contacted AUSA Dan Schiess via  
19 telephone and inquired as to his position relating to the use of the video link for the  
20 appearance of Engel. AUSA Schiess indicated that he didn't care, which implies  
21 that he holds no preference.  
22

23 Travel to and from USP Lompoc to the USDC Court in Las Vegas is,  
24 according to Google Maps, roughly 6hr 45 minutes. With the security issues  
25 involved in transporting Engel, we can easily assume that the travel is going to be  
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28

1 in excess of nine hours at best. The physical and mental impact of the transport on  
2 Engel, and those responsible for him, provides no benefit to this court nor to the  
3 findings in the hearing. Neglecting the hard costs that are obviously saved by such  
4 an action, the Defense asserts that justice may be served by using the least  
5 impactful solution on all parties involved in order to facilitate Engel's appearance.  
6  
7

8 Therefore, Defense Counsel requests that this court issue an order permitting  
9 Defendant Engel to appear via video link for the upcoming hearing, and to instruct  
10 the USP Lompoc to arrange such accomodation.  
11

12 Respectfully submitted, this 10<sup>th</sup> day of September 2018  
13

14  
15 /s/ Warren R. Markowitz  
16 WARREN R. MARKOWITZ  
17 Counsel for Defendant Todd Engel  
18

19 **IT IS SO ORDERED.**

20 **IT IS FURTHER ORDERED** that USP Lompoc shall arrange for Defendant to appear  
21 via video link for his restitution hearing set for September 20, 2018, at 9:00 a.m. in LV  
22 Courtroom 7D before Chief Judge Gloria M. Navarro.  
23

24 **DATED** this 17 day of September, 2018.

25  
26   
27 \_\_\_\_\_  
28 Gloria M. Navarro, Chief Judge  
United States District Court

1  
2  
3 **CERTIFICATE OF SERVICE**  
4

5 I, Warren R. Markowitz, attorney of record of Defendant Todd C. Engel,  
6 submitted a copy of the foregoing **REQUEST TO ALLOW DEFENDANT TO**  
7 **PARTICIPATE IN RESTITUTION HEARING VIA VIDEO LINK** to the clerk  
8 of this court via the court's CM/ECF system for delivery and service upon counsel  
9 of record via CM/ECF.  
10

11 Dated this 10<sup>th</sup> day of September 2018  
12

13 /s/ Warren R. Markowitz  
14 WARREN R. MARKOWITZ  
15 Counsel for Defendant Todd Engel  
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# THE MARKOWITZ LAW FIRM

September 6, 2018

Ms. Carlon  
USP Lompoc  
3901 KLEIN BLVD  
LOMPOC, CA 93436

VIA FAX ONLY

**RE: Todd C. Engel, BOP# 18427-023**

Ms. Carlon,

As Attorney for Todd C. Engel, I would like to inquire as to the availability of video conferencing for appearances for court hearings? As you are aware, Engel is the subject of a restitution hearing on Sept 20<sup>th</sup> 2018, at the USDC Nevada, as he was recently transferred to your custody I was interested in requesting the video participation of Engel from the court.

Please advise if the resource is available so that I may inform the court.

Respectfully,



Warren Markowitz, Esq.  
Attorney and Counselor at Law

enc: court minutes

**Subject:** Activity in Case 2:16-cr-00046-GMN-PAL USA v. Bundy et al Minute Order Setting Hearing  
**From:** cmecf@nvd.uscourts.gov  
**Date:** 8/30/2018 11:06 AM -0700  
**To:** cmecfhelpdesk@nvd.uscourts.gov

**This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.**

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**United States District Court**

**District of Nevada**

**Notice of Electronic Filing**

The following transaction was entered on 8/30/2018 at 11:06 AM PDT and filed on 8/30/2018

**Case Name:** USA v. Bundy et al  
**Case Number:** [2:16-cr-00046-GMN-PAL](#)  
**Filer:**  
**Document Number:** 3326(No document attached)

**Docket Text:**

**MINUTE ORDER IN CHAMBERS** of the Honorable Chief Judge Gloria M. Navarro, as to Todd C. Engel on 8/30/2018. By Deputy Clerk: Aaron Blazeovich.

**Defendant Todd Engel has been transferred to the custody of the Bureau of Prisons. As such, the Bureau of Prisons will not have enough time to transport Defendant to Nevada for the hearing currently set for September 5, 2018, at 9:00 a.m. Accordingly, IT IS HEREBY ORDERED that the Restitution Hearing is CONTINUED to September 20, 2018, at 9:00 a.m. in LV Courtroom 7D before Chief Judge Gloria M. Navarro.**

**(no image attached) (Copies have been distributed pursuant to the NEF - ASB)**

**2:16-cr-00046-GMN-PAL-15 Notice has been electronically mailed to:**

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